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March 25, 2010

VIA ECF

Hon. Donovan W. Frank
U.S. District Judge
7th Floor, U.S. Courthouse
St. Paul, MN 55101

Re: *United States v. Guidant LLC*, No. 10-mj-67 (DWF)

Dear Judge Frank:

In response to Your Honor's letter dated yesterday, the government believes that the time currently scheduled for the hearing on April 5, 2010 will be sufficient for entry of the plea and the Court's consideration of the issues likely to be presented by Multi-District Litigation plaintiffs' counsel.

The undersigned will present any written submissions and oral argument for the government on those issues.

Finally, we have conferred with both Mr. Zimmerman and counsel for Guidant, Dan Scott, and we agree that any briefing from MDL counsel should be filed by March 30, 2010, with any response from the government and/or defendant by April 1, 2010. If these deadlines are not satisfactory to the Court, please have your clerk contact us.

Respectfully submitted,

FRANK J. MAGILL, JR.
Attorney for the United States
Acting Under Authority Conferred by
28 U.S.C. § 515

s/Robert M. Lewis
BY: ROBERT M. LEWIS
Assistant U.S. Attorney

s/Ross S. Goldstein
ROSS S. GOLDSTEIN
Trial Attorney
U.S. Department of Justice

RML/dk

cc: Daniel M. Scott, Esq.
Larry E. Tanenbaum, Esq.
Charles S. Zimmerman, Esq.